

**SENATE**  
**JUDICIARY**  
**COMMITTEE CALENDAR**

**TUESDAY, FEBRUARY 12, 2019**  
**3:00 PM - CORDELL HULL BUILDING**  
**SENATE HEARING ROOM I**

**COMMITTEE MEMBERS:**

<b>BELL (R) CHAIRMAN</b>	<b>BOWLING (R)</b>	<b>ROBERTS (R)</b>
<b>LUNDBERG (R) 1<sup>ST</sup> VICE CHAIRMAN</b>	<b>GARDENHIRE (R)</b>	<b>ROBINSON (D)</b>
<b>WHITE (R) 2<sup>ND</sup> VICE CHAIRMAN</b>	<b>KYLE (D)</b>	<b>STEVENS (R)</b>

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**AGENDA**

1. [SB 0080](#) \***Kurita** (HB 0127 by \*Hodges)  
Criminal Offenses- As introduced, expands the offense of indecent exposure in a penal institution to include actions committed against staff members in addition to guards; defines staff member as any person employed by a penal institution or who performs ongoing services in a penal institution, including, but not limited to, clergy, educators, and medical professionals. - Amends TCA Section 39-13-511.
  
2. [SB 0083](#) \***Kurita** (HB 0125 by \*Hodges)  
Criminal Offenses- As introduced, expands burglary to include entering a construction site with intent to commit a felony, theft, or assault or entering a construction site and committing a felony, theft, or assault; classifies the offense as a Class D felony. - Amends TCA Title 39, Chapter 14, Part 4.
  
3. [SB 0261](#) \***Kurita** (HB 0305 by \*Johnson C)  
Comptroller, State- As introduced, directs the comptroller to study the viability of a juvenile detention center in Montgomery County; requires the comptroller to report the results to the speaker of the senate, speaker of the house of representatives, senate judiciary committee, and judiciary committee of the house of representatives by January 1, 2020. - Amends TCA Title 37.

4. [SB 0381](#) **\*Yarbro** (HB 0596 by \*Beck)

Inheritance Laws- As introduced, prohibits a person who intentionally killed the decedent from filing a wrongful death action based on the death of the decedent or sharing any portion of a wrongful death settlement or judgment resulting from the death of the decedent. - Amends TCA Section 31-1-106.

5. [SB 0314](#) **\*Watson** (HB 0775 by \*Ramsey)

Safety- As introduced, immunizes an entity that provides access to an automated external defibrillator (AED) from civil liability for any personal injury that results from an act or omission relative to the use of the AED. - Amends TCA Title 68, Chapter 140, Part 4.

6. [SB 0207](#) **\*Haile** (HB 0288 by \*Carter)

Adoption- As introduced, allows for the modification and enforcement of a contract for post-adoption contact between certain parties. - Amends TCA Title 36, Chapter 1.

7. [SB 0208](#) **\*Haile** (HB 0287 by \*Carter)

Adoption- As introduced, eliminates failure to pay prenatal, natal, and postnatal expenses as ground for termination of parental rights; clarifies the definition of notice; removes unnecessary affidavit language; adds existing abuse crimes to the definition of severe child abuse; clarifies definition of putative father; clarifies requirements for checking putative father registry; makes various other revisions. - Amends TCA Title 36, Chapter 1, Part 1; Title 36, Chapter 2 and Section 37-1-102.

8. [SB 0368](#) **\*Massey, Crowe, Bowling, Gilmore, Kyle** (HB 0286 by \*Coley)

Statutes of Limitations and Repose- As introduced, removes the statute of limitations for prosecution of certain Class A or Class B felony sex offenses committed against a child on or after July 1, 2019, and deletes a provision that sets a lower statute of limitations for aggravated rape, rape of a child, rape, and aggravated rape of a child if notice of the offense is not given to law enforcement within three years of the offense. - Amends TCA Title 40, Chapter 2, Part 1.

9. [SB 0010](#) **\*Briggs** (HB 0002 by \*Staples)

Sentencing- As introduced, enacts the "JaJuan Latham Act," which increases the penalty for an aggravated assault or homicide that occurs by a person discharging a firearm from within a motor vehicle and the victim is a minor at the time of the offense. - Amends TCA Title 39, Chapter 13, Part 1 and Title 39, Chapter 13, Part 2.

**10. [SB 0349](#) \*Briggs** (HB 0154 by \*Wright)

Criminal Offenses- As introduced, prohibits the dropping of items or substances from unmanned aircraft into an open-air event venue where more than 100 persons are gathered for a ticketed event; violation is Class C misdemeanor. - Amends TCA Title 39, Chapter 13.

**11. [SJR 0097](#) \*Niceley**

Constitutional Amendments- Proposes an amendment to Article XI, Section 5 of the Constitution of the State of Tennessee concerning charitable lotteries to authorize the general assembly to authorize the operation of Bingo games to benefit public and private schools. -

**12. [SB 0400](#) \*Stevens** (HB 0258 by \*Littleton, Curcio, Carter)

Criminal Procedure- As introduced, enacts the "Sergeant Daniel Baker Act," which removes the appeal to the court of criminal appeals in death penalty cases; provides for automatic direct review by the Tennessee supreme court for convictions for which a sentence of death is imposed. - Amends TCA Title 39, Chapter 13, Part 2 and Title 40, Chapter 35.

**13. [SB 0402](#) \*Stevens** (HB 0169 by \*Lamberth)

Child Custody and Support- As introduced, permits a designation as joint primary residential parents or a waiver of the primary residential parent designation upon agreement of the parents when the child is scheduled to reside an equal amount of time with both parents; allows the address of either parent to be used to determine school zoning when the child is scheduled to reside an equal amount of time with both parents. - Amends TCA Title 4 and Title 36.

**14. [SB 0403](#) \*Stevens** (HB 0167 by \*Lamberth, Curcio, Farmer)

Criminal Offenses- As introduced, requires a mandatory 30-day sentence for theft of a firearm; creates the Class D felony offense of bringing a telecommunication device into a penal institution; revises other various provisions of criminal law. - Amends TCA Title 39; Title 40 and Title 55.

**15. [SB 0456](#) \*Stevens** (HB 0393 by \*Garrett)

Process, Service of- As introduced, requires sheriff or constable serving process for actions in general sessions court to be identified by name and agency on the service return or in a supplemental affidavit; requires a private process server to provide a mailing or physical address on the service return or in a supplemental affidavit; clarifies failure to include the required contact information of process server will not invalidate effectiveness of service. - Amends TCA Section 16-15-901.